IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

Bail Appl..No. 1250 of 2007()

CRMP.559/2007 of D.C. & SESSIONS COURT,KOLLAM
CRIME NO.14/07 OF KOTTIYAM POLICE STATION

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: PETITIONERS/ACCUSED 1 TO 3

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1. NOORUDEEN, S/O.SUBAIR,
   FATHIMA MANZIL, UMAYANALLOOR P.O.,
   KOLLAM.

2. AMEENUDEEN, S/O.ABDUL RASHEED,
   SHAMEER MANZIL, KANJATHALA, UMAYANALLOOR P.O.,
   KOLLAM.

3. JALALUDEEN, S/O.SUBAIR,
   PANAVILLA, SHAFI MANZIL, UMAYANALLOR P.O.,
   KOLLAM.

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENTS: COMPLAINANT/STATE

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1. STATE OF KERALA, REPRESENTED BY
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
   KOTTIYAM POLICE STATION.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1250 OF 2007 A

Dated this the 9th day of March, 2007

O R D E R

Petitioners, who are accused Nos.1 to 3 in Crime No.14/2007 of Kottiyam Police Station for offences punishable under sections 403, 406 and 409 read with section 34 IPC, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that the petitioners collected money from the public for the development of a private Masjid run by one Hajira Beevi and misappropriated the same without accounting the money.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their application for regular bail considered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 14.3.2007 and 16.3.2007 for the purpose of interrogation. The petitioners shall, thereafter, be produced on the same day before the concerned Magistrate, who shall consider and dispose of the application, if any, filed by the petitioners for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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